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MUY ILUSTRE AYUNTAMIENTO

(Most Illustrious Ayuntamiento, or Municipal Council of Los Angeles)

BY J. M. GUINN.

How was the municipality or corporation of Los Angeles governed under Spanish and Mexican rule? Very few of its present inhabitants, I presume, have examined into its form of government and the laws in force before it came into possession of the United States. And yet its early laws and government have an important bearing on many questions in our civic affairs. The original titles to the waters of the river that supplies our city; to the lots that some of us own, and to the acres that we till, date away back to the days when King Carlos III swayed the destinies of the might Spanish empire; or to that later time when the cactus perched eagle of Mexico spread its wings over California. There is a vague impression in the minds of many, derived, perhaps from Dana's "Two Years Before the Mast," and kindred works, or from the tales and reminiscences of pioneers who came here after the discovery of gold that the old pueblo had very little government except mob rule; and that California was given over to revolution and anarchy under the Mexican regime. Such impressions are as false as they are unjust. There were but comparatively few capital crimes committed in California under the Spanish domination or under the Mexican rule.

The era of crime in California began with the discovery of gold. There were no Joaquin Murietas or Tiburcio Vasquezas before the days of '49. It is true there were many revolutions during the Mexican regime, but these, in nearly every case, were protests against the petty tyrannies of Mexican-born governors. California, during the time it was a Mexican province, suffered from bad governors very much as the American colonies did before our revolutionary war. The descendants of revolutionary sires would resent as an insult the imputation that their forefathers were the promoters of anarchy. The California revolutions were more in the nature of political protests than real revolutions. They were usually bloodless affairs. In the half dozen or more revolutions occurring in the

twenty years preceding the American conquest, and resulting in four battles, there were but three men killed and six or seven wounded.

While there were political disturbances in the territory, and several governors were deposed and sent back to Mexico, the municipal governments were well administered. I doubt whether the municipality of Los Angeles has ever been governed better or more economically under American rule, than it was during the last twenty-five years that the most illustrious Ayuntamiento controlled the civic affairs of the town. Los Angeles had an Ayuntamiento under Spanish rule, organized in the first years of her existence, but it had very little power. The Ayuntamiento or Municipal Council at first consisted of an Alcalde (Mayor), and two Regidores (Councilmen); over them was a quasi-military officer, called a *comisionado*—a sort of petty dictator or military despot, who, when occasion required or inclination moved him, embodied within himself all three departments of government—judiciary, legislative and executive. After Mexico became a republic, the office of *comisionado* of the *pueblo* was abolished. The membership of the Ayuntamiento of Los Angeles was increased until at the height of its power it consisted of a first Alcalde, a second Alcalde, six Regidores, a secretary and a *Sindico*. The *Sindico* seems to have been a general utility man. He acted as City Attorney, Tax and License Collector and Treasurer. The Alcalde was president of the Council, Judge and Mayor. The second Alcalde took his place when the first was ill or absent. The Regidores were numbered from one to six, and ranked according to number. The Secretary was an important personage. He kept the records, and was the only paid member except the *Sindico*, who received a commission on his collections.

The jurisdiction of the Ayuntamiento of Los Angeles, after the secularization of the missions, extended from the limits of San Juan Capistrano on the south to and including San Fernando on the north, and eastward to the San Bernardino mountains—extending over an area now comprised in four counties and covering a territory as large as the State of Massachusetts. Its authority was as extensive as its jurisdiction. It granted town lots and recommended to the governor grants of lands from the public domain. In addition to passing ordinances for the government of the *pueblo*, its members acted as the executive officers to enforce them. It combined within itself the powers of a Board of Health, a Board of Education, a Police Commission, and a Street Department. During the civil war between Northern and Southern California, it raised and equipped an army and declared itself the superior gov-

erning power of the southern half of the territory. The members served without pay, but if a member was absent from a meeting without a good excuse he was fined \$3. The sessions were conducted with great dignity and decorum. The members were required to attend their public functions "attired in black apparel, so as to add solemnity to the meetings."

The Ayuntamiento was spoken of as the "Most Illustrious" in the same sense that we speak of the "Honorable City Council," but it was a very much more dignified body than our City Council. Taking the oath of office was a solemn and impressive affair. The junior Regidor and the Secretary introduced the member to be sworn. "When he shall kneel before a crucifix placed on a table or dais, with his right hand on the Holy Bible, then all the members of the Ayuntamiento shall rise and remain standing with bowed heads, while the Secretary reads from the oath prescribed by law; and on the member saying, 'I swear to do, etc.' the President will answer: 'If thou so doest, God will reward thee; if thou doest not, may He call thee to account.' " As there was no pay in the office, and its duties were numerous and onerous, there was not a very large crop of aspirants for Councilmen in those days, and the office usually sought the man. It might be added that when it caught the right man it was loath to let go of him.

Notwithstanding the great dignity and formality of the old-time Regidores, they were not above seeking the advice of their constituents, nor did they assume superior airs, as some of our later statesmen do. There was in their legislative system an upper house or court of last appeal, and that was the people themselves. When there was a deadlock in their Council or when some question of great importance to the community came before them, and they were divided as to what was best to do, or when some crafty politician was attempting to sway their decision to obtain personal gain at the expense of the general public, then the "alarma publica," or the "public alarm" was sounded by beating the long roll on the drum, the citizens were thus summoned to the Hall of Sessions, and any one hearing the alarm and not heeding it was fined \$3. When the citizens were convened, the President of the Ayuntamiento, speaking in a loud voice, stated the question, and the people were given "public speech." Every one had an opportunity to make a speech. Torrents of eloquence flowed, and when all who wished to speak had had their say the question was decided by a show of hands. The majority ruled, and all went home happy to think the country was safe, and they had helped save it.

Some of the ordinances for the government of the pueblo passed by the old Regidores were quaint, but not amusing to the culprits against whom they were directed. The "Weary Willies" of that day were compelled to tramp very much as they are now; and if they did not find work in three days from the time they were ordered to look for it, they were fined \$2 for the first offense; \$4 for the second, and for the third they were provided with a job. Article 2 of an ordinance passed in 1844 says: "All persons without occupation or known means of living shall be deemed to come under the law of vagabonds, and shall be punished as the law directs." The Ayuntamiento ordered a census taken of the vagabonds. The census report showed twenty-two vagabonds, eight genuine and fourteen ordinary. It is to be regretted that the Regidores did not define what constituted a genuine and what an ordinary vag.

The Ayuntamiento also regulated the social functions of the old pueblo. Ordinance 19: "A license of \$2 shall be paid for all dances, except marriage dances, for which permission shall be obtained from the Alcalde." The festive lover who went forth to serenade his lady love without a permit from the Alcalde was subject to a fine of \$1.50. If he tried it a second time the fine was doubled, and the third offense landed him in the guard house. Here is a trade union regulation nearly sixty years old: Ordinance 7: "All grocery, clothing and liquor houses are prohibited from employing any class of servants foreign to the business without verbal or written stipulation from their former employers. Any one acting contrary to the above shall forfeit all right to claim reimbursement." Occasionally the Ayuntamiento had lists of impecunious debtors and dead beats made out and published. Merchants and tradesmen were warned not to give these fellows credit.

The old pueblo had its periodical smallpox scares. Then the Councilmen had to act as a Board of Health; there were no physicians in the town. In 1844 the disease became epidemic, and the Ayuntamiento issued a proclamation to the people, and formulated a long list of hygienic rules and regulations to be observed. The object of the proclamation seemed to be to paint the horrors of the plague in such vivid colors that the people would be frightened into observing the Council's rules. Some of the Ayuntamiento's rules might be adopted and enforced now with good effect. The proclamation and the rules were ordered read by a guard at each house and before the Indian huts. I give a portion of the proclamation and a few of the rules:

"That destructive power of the Almighty, which occasionally

punishes man for his numerous faults, destroys not only kingdoms, cities and towns, leaving many persons in orphanage and devoid of protection, but goes forth with an exterminating hand, and preys upon science, art and agriculture—this terrible plague threatens this unfortunate department of the grand Mexican nation, and seems more fearful by reason of the small population which cannot fill one-twentieth part of its territory. What would become of her if this eminently philanthropic Ayuntamiento had not provided a remedy partly to counteract these ills? It would bereave the town of the arms dedicated to agriculture (the only industry of the country), which would cease to be useful, and in consequence misery would prevail among the rest. The present Ayuntamiento is deserving of praise as it is the first to take steps beneficial to the community and the country."

Among the hygienic rules were orders to the "people to refrain from eating peppers, and spices that stimulate," "to wash all salted meats before using," "all residents in good health to bathe and cleanse themselves once in eight days," "to refrain from eating unripe fruit," "to burn sulphur on a hot iron in their houses for fumigation." Rule 4: "All saloon-keepers shall be notified not to allow the gathering of inebriates in their saloons under penalty of \$5 fine for the first offense, and closing the place by law for the second offense." "All travelers on inland roads were compelled to halt at the distance of four leagues from the town and remain in quarantine three days, during which time they shall wash their clothes." Vaccination was enforced then as now.

The Alcalde's powers were as unlimited as those of the Ayuntamiento. They judged all kinds of cases and settled all manner of disputes. There were no lawyers in the old pueblo to worry the judges, and no juries to subvert justice and common sense by anomalous verdicts.

Sometimes the Alcalde was Judge, jury and executioner—all in one.

At the session of the Ayuntamiento, March 6, 1837, Jose Sepulveda, Second Alcalde, informed the members "that the prisoners Julian and Timoteo had confessed to the murder of Ygnacio Ortega, which was deliberated and premeditated." "He said he had decided to sentence them to be shot and also to execute them tomorrow, it being a holiday when the neighborhood assembles in town. He asked the members of the Illustrious Ayuntamiento to express their opinion in the matter, which they did, and all were of the same opinion "

"Senor Sepulveda said he had already solicited the services of the Reverend Father at San Gabriel, so that he may come today and administer spiritual consolation to the prisoners."

At the meeting of the Ayuntamiento, two weeks later—March 20, 1837, the record reads: "Second Alcalde Jose Sepulveda thanked the members for acquiescing in his decision to shoot the prisoners Julianio and Timoteo, but after sending his decision to the Governor, he was ordered to send the prisoners to the general government, to be tried according to law by a council of war; and he had complied with the order."

The prisoners, I infer, were Indians. While the Indians of the pueblo were virtually slaves to the rancheros and vineyardists, they had certain rights which white men were compelled to respect. The Ayuntamiento had granted to the Indians a portion of the pueblo lands near the river for a *rancheria*. At a meeting of the Ayuntamiento the Indians presented a petition stating that the foreigner Juan Domingo (John Sunday), had fenced in part of their land; and praying that it be returned to them. The members of the Council investigated the cause of the complaint and found John Sunday guilty as charged. So they fined Juan \$12 and compelled him to set this fence back to the line.

The Indians were a source of annoyance to the Regidores and the people. There was always a number of the neophytes or Mission Indians under sentence for petty misdemeanors and drunkenness. They filled the chain gang of the pueblo. Each Regidor had to take his weekly turn as Captain of the chain gang and superintend the work of the prisoners.

The Indian village known as the Pueblito, or little town, down by the river, between what are now First street and Aliso, was the plague spot of the body politic in the old pueblo days. Petition after petition came to the Council praying for the removal of the Indians beyond the limits of the town. Finally, in 1846, the Ayuntamiento ordered their removal across the river to a place known as the "Aguage de Los Avilas"—the spring of the Avilas—and the site of their former village was sold to their old-time enemy and persecutor, John Sunday, the foreigner, for \$200, which was to be expended for the benefit of the Indians. Governor Pico, on the authority of the territorial government, borrowed the \$200 from the Council to pay the expenses of raising troops to suppress Castro, who, from his headquarters at Monterey, was supposed to be fomenting another revolution, with the design of overthrowing Pico and making himself Governor. If Castro had any such designs, the

American frustrated them by taking possession of the country for themselves. Pico and Castro, with their respective armies, retreated to Los Angeles, but the Indians' money never came back any more. "The foreign adventurers of the United States of the north," when they gained possession of the old pueblo abated the Indian nuisance by exterminating the Indian.

The last recorded meeting of the Ayuntamiento under Mexican rule was held July 4, 1846, and its last recorded act was to give Juan Domingo, the foreigner, a title to the pueblito—the lands on which the Indian village stood. Could the irony of fate have a sharper sting? The Mexican, on the birthday of American liberty, robbed the Indian of the last acre of his ancestral lands, and the American, a few days later, robbed the Mexican that robbed the Indian. The Ayuntamiento was revived in 1847 after the conquest of the city by the Americans, but it was not the "Most Illustrious" of former times. The heel of the conqueror was on the neck of the native; and it is not strange that the old motto of Mexico which appears so often in the early archives, Dios y Libertad (God and Liberty) was sometimes abbreviated in the later records to "God and etc." The Secretary was sure of Dios but uncertain about Libertad.